REMARKS/ARGUMENT

This paper is being filed with a <u>Request for Continued Examination</u> to withdraw this application from appeal. Reconsideration and removal of the rejections are respectfully requested.

Description of Amendments

Claims 77, 78, 80, 81, 83, 95 and 97 are currently amended.

Claims 98-102 are new. Claim 98 is based on elements from former claim 77.

Claims 77, 78, 80, 81, 84-85, 93-95, and 97-102 are pending after entry of this Amendment.

No new matter has been introduced. Support for the claim amendments can be found throughout the application as originally filed. See, for example, the following sections of the application.

Claims	Pub. 2006/0059024
77, 99-101	Paragraphs 21, 81, 82 and 157.
98	Paragraphs 89 and 90 (describing vehicles and passengers to be assigned to graphics layers).
102	Paragraph 21

Examiner Interview Summary

The undersigned requested a telephonic interview with Examiner Shaun D. Sensenig. The following summary supplements the examiner's Interview Summary Form PTOL-413 of July 17, 2010.

(A) No exhibit was shown. No demonstration was conducted.

(B) Claim 77 was discussed.

(C) U.S. Patent No. 6,353,794 ("DeLorme") was discussed.

(D) Amendment of claim 77 was proposed by Examiner Sensenig to link the associating step with a device and to particularly and distinctly describe the associating step.

(E) The undersigned asserted that the associating step was not taught in DeLorme. Examiner Sensenig asserted that "associating" is broadly interpreted.

(F) No other pertinent matters were discussed.

(G) No agreement with respect to DeLorme was reached.

Rejection under 35 U.S.C. §101

Claims 77, 78, 80, 81, 83-85 and 93-97 were rejected under 35 U.S.C. §101.

All pending claims depend from claim 77. Base claim 77 has been amended to recite "the associating performed by a computer system having at least one data processor." The "computer system" of claim 77 is a machine satisfying the requirements of §101. Accordingly, Applicant respectfully submits that claim 77 and the claims depending therefrom satisfy the requirements of 35 U.S.C. §101.

The Office stated that the term "'access device' is an extremely broad term" and could be interpreted as a "slide projector." Even assuming for the purpose of argument only that what the Office stated is true, Applicant submits that a slide projector is a machine satisfying the requirements of §101. The term "access device" has been moved from claim 77 to new claim 98. Accordingly, Applicant respectfully submits that claim 98 satisfies the requirements of 35 U.S.C. §101.

Support for the amendment to claim 77 can be found throughout the application as originally filed. For example, see Pub. 2006/0059024 ¶ 21, which describes: "a computer system having at least one data processor" and "in the computer system on at least one data storage device is travel management software for storing and managing data associating at least one object with at least one event." This description in addition to ¶ 82 (describing the capability of the system to tie data together) and ¶ 157 (describing a Travel Situation Manager that "associates passenger with planes" by "combining data feeds from disparate sources both real-time and batch") reasonably conveys a computer system that performs an associating step.

Rejections under 35 U.S.C. §112, first paragraph

Claims 77, 78, 80, 81, 83-85 and 93-97 were rejected under 35 U.S.C. §112, first paragraph, for failing to comply with the written description requirement.

With regard to claim 77, the Office stated that "material describing a data store containing the specified information (object data, vehicle data, event data, etc.) could not be found in the specification as originally filed" and that "[a]lthough this data is present in the specification, it is not shown to be contained in the data store" (Office Action at p. 4, ¶ 7).

As best understood, the Office believes there is support for object data, vehicle data, event data in the specification as originally filed but believes there is no support for storing such data. Applicant disagrees with the assertion that there is no support for storing such data. The specification as originally filed describes data storage devices and a person of ordinary skill in the art would understand from the specification that the object data, vehicle data, event data are stored in at least one of the data storage devices. For example, see Pub. 2006/0059024 ¶ 21, which describes: "in the computer system on at least one data storage device is travel management software for storing and managing data associating at least one object with at least one event."

To expedite prosecution, claim 77 has been amended to replace "storing" with --providing--. Accordingly, Applicant respectfully submits that claim 77 as amended and the claims depending therefrom satisfy the requirements of 35 U.S.C. §112, first paragraph.

New claim 102 recites "storing the object data and the event data in a data storage device of the computer system." New claim 102 contains no new matter for the reasons given above. See, for example, Pub. 2006/0059024 ¶ 21 discussed above.

Rejections under 35 U.S.C. §112, second paragraph

Claims 77, 78, 80, 81, 83-85 and 93-97 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter regarded as the invention.

The Office states that "it is unclear as to how event data is used to associate object data and vehicle data" (Office Action at p. 5, ¶ 15).

Claim 77 has been amended to include "the associating including tracking the traveling person as being on a particular vehicle from among the plurality of moving vehicles, the tracking performed by the computer system in response to a change in the travel requirement." Applicant submits that claim 77 and the claims depending therefrom satisfy the requirements of 35 U.S.C. §112, second paragraph.

Rejection under 35 U.S.C. §102

Claims 68, 69, 72, 75-78, 81, 84-88, 91-93, 96 and 97 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 5,948,040 ("DeLorme").

Claims 68, 86, 96 and claims depending therefrom have been canceled without prejudice, rendering the rejection of these claims moot.

All pending claims depend from claim 77. Claim 77 has been amended to recite "the associating including tracking the traveling person as being on a particular vehicle from among the plurality of moving vehicles, the tracking performed by the computer system in response to a change in the travel requirement." Support for this amendment can be found throughout the application as originally filed. For example, see Pub. 2006/0059024 ¶¶ 81-82. Paragraph 81 indicates that older systems failed when certain data was "altered," such as when a person had a change to his schedule. Paragraph 82 provides that, in contrast to older systems, an embodiment of the present invention allows "vehicle data and object (traveler) data [to be] tied together through the event" wherein "the event of interest" can be the person's presence in a particular city on a particular day as opposed to a particular plane flight. Paragraph 82 further provides that "the current system can track Mr. Jones regardless of the flights (or even trains or buses) he might take, the route that he takes, or the number of stops between his start and final destination."

DeLorme describes a system that allows users to plan a trip. A computer running TRIPS software assembles travel options (including possible attractions, restaurants, and accommodations that might be of interest) for the user based on user-defined travel requirements (see col. 7, lines 22 *et seq.*; Abstract; and FIGS. 7A and 7B). The user, not the TRIPS software, makes selections with regard to reservations and flights (see col. 40, lines 48 *et seq.*). Changes

in travel plans, such as a change in route and a change in airplane flight, are made by the user (see col. 53, lines 2 *et seq.*).

DeLorme fails to teach "tracking the traveling person as being on a particular vehicle from among the plurality of moving vehicles, the tracking performed by the computer system in response to a change in the travel requirement," as recited in claim 77. There is no teaching in DeLorme that, when the user changes his/or her route or destination, the system will track the user as being on a particular moving vehicle, such as a particular plane flight that is moving, in response to the change in route or destination.

Accordingly, Applicant respectfully submits that claim 77 and the claims depending therefrom are patentably allowable over DeLorme.

Rejection under 35 U.S.C. §103

Claims 71, 80, 90, 94 and 95 were rejected under 35 U.S.C. §103(a) as being unpatentable over DeLorme.

Claim 71 and 90 have been canceled without prejudice, rendering their rejection moot.

As indicated above, claim 77 is patentably allowable over DeLorme. No *prima facie* case of obviousness is established in view of the above-discussed deficiencies of DeLorme with respect to claim 77. Claim 80, 94 and 95 depend from claim 77, include all the elements of claim 77, and are thereby patentably allowable over DeLorme for at least the same reasons that claim 77 is allowable.

Claims 74 and 83 were rejected under 35 U.S.C. §103(a) as unpatentable over DeLorme in view of U.S. Patent 6,353,794 ("Davis").

Claim 74 has been canceled without prejudice, rendering its rejection moot.

As indicated above, claim 77 is patentably allowable over DeLorme. Davis fails to cure all the deficiencies of DeLorme with respect to base claim 77, so claim 77 is patentably allowable over DeLorme in view of Davis. Claim 83 depends from claim 77, includes all the

elements of claim 77, and is thereby patentably allowable over DeLorme in view of Davis for at least the same reasons that claim 77 is allowable.

New Claims

New claims 98-102 depend from claim 77, include all the elements of claim 77, and are thereby patentably allowable for at least the same reasons that claim 77 is allowable.

Conclusion

In light of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and early passage of this case to issue is respectfully requested.

If the Examiner has any suggestions or amendments to the claims to place the claims in condition for allowance, Applicant would prefer a telephone call to the undersigned attorney for approval of an Examiner's amendment in order to expedite prosecution.

Please charge any deficiency in fees or credit any overpayments to Deposit Account No. 07-1850.

Respectfully submitted,

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